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July 27, 2006
Date

Joanne Bourguignon
Joanne Bourguignon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Gadiel Seroussi et al.

Serial No. 09/916,785

Filed: July 27, 2001

For: METHOD AND APPARATUS FOR RANDOM BIT-STRING
GENERATION USING ENVIRONMENT SENSORS

Examiner: Jeffery L. Williams

Group Art Unit: 2137

Docket No. 10010554-1

Date: July 27, 2006

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
UNDER 37 CFR § 41.37

Sir:

In response to the Appeal Brief filed December 12, 2005, and the Advisory Action and Notification of Non-Compliant Appeal Brief under 37 CFR § 41.37 dated June 27, 2006, Applicants respectfully submit an amended Appeal Brief that correctly contains a correct copy of the appealed claims as an appendix thereto pursuant to 37 CFR § 41.37(c)(1)(viii).

In an Advisory Action of June 27, 2006, the Examiner indicated that the amended claim 11 lacked antecedent basis for the language "the additional compressors" and indicated that the amended claim 11 now recited multiple additional compressors for each additional sensor. Applicants did not intend that amended claim

11 be read as the Examiner appears to have read amended claim 11, and do not feel that amended claim 11 recites multiple additional compressors for any particular environmental sensor, but Applicants also appreciate the Examiner's concern and diligent reading of the claim, and acknowledge that the originally amended claim 11 could be viewed as ambiguous. Applicants therefore submit an amended Appeal Brief and a newly amended claim 11 in which the word "compressors" has been replaced by the word "compressor," in order to remove any ambiguity as to the meaning of amended claim 11.

Applicants believe that no fee is required. However, at any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account No. 08-2025. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,
Gadiel Seroussi et al.
Olympic Patent Works PLLC


Robert W. Bergstrom
Registration No. 39,906

Enclosures:

Postcards (2)
Appeal Brief
Copy of Non-Compliant



COPY

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)

Application No.

09/916,785 ✓

Applicant(s)

SEROUSSI ET AL.

Examiner

Jeffery Williams

Art Unit

2137

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 17 April 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.
EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☒ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

The claim amendment, filed after the final office action along with the appeal brief, was not entered. The brief does not contain a correct copy of the appealed claims.


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER